

No. 11(112)-Lab-79/7661 In pursuance of provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/S Panipat Coop. Distillery Ltd. Panipat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK

Reference No. 110/78

*BETWEEN*

SHRI RAJENDER KUMAR workman and the management of M/S Panipat Coop. Distillery Ltd. Panipat.

*Present :—*

Shri Karan Singh, for the workman.

Shri R. S. Malik, for the management.

*AWARD*

By order No ID/KNL/4-78/29539, dated 26-6-78 the Governor of Haryana referred the following dispute between the management of M/s The Panipat Coop. Distillery Ltd., Panipat and its workman Shri Rajender Kumar to this Court, for adjudication in exercise of the powers conferred by the clause (c) of the sub-section (1) of the section 10 of the Industrial Disputes Act, 1947.

Whether the termination of the service of Shri Rajender Kumar was justified and in order?  
If not, to what relief is he entitled

On receipt of order of reference, notices were issued to the parties and the parties filed their pleadings and on the basis of their pleadings the only issue "As per reference" was framed by my Learned predecessor on 10.10.78 and fixed the case for the evidence of the management. The management produced their evidence on 9.1.79 and examined Shri Chander Parkash, Time Keeper of the management as MW-1 who stated the workman was appointed on 24.1.75 for the post of apprentice Chemist and he produced vouchers in respect of payments made to the workman and the voucher Ex-M-5 and M-6 in respect of full and final payment to the workman. However Shri Karan Singh authorised representative of the workman made a payment on 25.6.79 instead of producing any evidence in support of his case that:

"The workman has got better employment in National Fertilizer Corp. and he is not interested in pursuing his reference. This may be treated as withdrawn."

In view of the statement of the representative of the workman and the evidence lead before me by the management. I answer this reference and give my award that the termination of the service of the workman was justified and in order, and the workman is not entitled to any further relief.

Dated the 2nd July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

End. No. 1631/dated 13.7.79

Forwarded four copies to the Secretary to Government of Haryana, Labour and Employment Deptt., Chandigarh as required under section 15 of the I. D. Act., 1947.

BABU RAM GOYAL  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-3Lab-79/7662.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s. Haryana Agro Foods and Fruit Processing Plant, Murthal.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 274 of 1978

*Between*

SHRI OM PARKASH WORKMAN AND THE MANAGEMENT AND M/S. HARYANA AGRO FOODS AND FRUIT PROCESSING PLANT, MURTHAL.

*Present :—*

Shri Karan Singh for the workman.

Shri R. P. Agarwal for the management.

#### AWARD

By order No. ID/RK/61-78/42837, dated 25th September, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Haryana Agro Foods and Fruit Processing Plant, Murthal and its workman Shri Om Parkash to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section 1 of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of the service of Shri Om Parkash was justified and in order ? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The parties arrived at mutual settlement and made their statements before noon 25th June, 1979. Their statements are re-produced below:—

Statement of Shri R. P. Agarwal, representative of the management:—

“The management is ready to accept the workman on duty and re-instate him on the job provided the workman resumes his duties within 15 days of receipt of re-instatement letter to be issued by the management by 30th June, 1979. The workman will not be entitled to back wages for the period from the date of termination to the date he resumed his duties. If the management fail to issue re-instatement letter by the above date i.e. 30 June, 1979 it will be presumed that the re-instatement order has been issued and it will be open to the workman to report for duty from 1st July, 1979. How ever after 15th July, 1979 the workman may not be taken on duty without any liability on the management.”

R. O. & A. C.

Dated 25th June, 1979,

(Sd.) . . .  
Presiding Officer.

Statement of Shri Karan Singh representative of the workman.

“I have heard the statement of Shri R. P. Agarwal. The workman will report for duties on or before 15th July, 1979 but if he fails to resume his duties by 15th July, 1979 it will be presumed that the workman is no longer interested in his reinstatement. As per terms of settlement the workman is not entitled to his back wages from the date of his termination till the date he resumes his duties. The reference may be decided as per above settlement.

R. O. & A. C.

Dated 25th June, 1979.

(Sd.) . . .  
Presiding Officer.

In view of the statements of parties I decide this reference and pass an order making the statements of the parties as an award in this reference.

Dated 2nd July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

\* Endst. No. 1630 dated 3rd July, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of I. D. Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-3Lab-79/7664.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s. Chief Executive Officer, Rohtak District Co-operative Milk Producers Union, Limited, Rohtak.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT  
HARYANA ROHTAK

Reference No. 88/1977

*between*

SHRI KARTAR SINGH, THE WORKMAN AND THE MANAGEMENT OF M/S CHIEF  
EXECUTIVE OFFICER, THE ROHTAK DISTRICT CO-OPERATIVE MILK  
PRODUCERS UNION, LIMITED ROHTAK

Present:—

Shri Dhan Singh, for the workman.

Shri K. K. Bhatnagar, for the management.

#### AWARD

By order ID/RK/221-77/28243 dated the 29th July, 1977, the Governor of Haryana referred the following dispute between the management of M/s. Chief Executive Officer, The Rohtak District Co-operative Milk Producers Union Limited, Rohtak and its workman to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of service of Shri Kartar Singh was justified and in order? If not to what relief is he entitled?

On receipt of the order of reference, the notices were issued to the parties and on their pleadings the following issues were framed on 8th December, 1979.

1. Whether the reference is bad in law for the reason as mentioned in the preliminary objections of the written statement?
2. If not as per references.

And the case was fixed for the evidence of the management for 17th January, 1978. After some adjournments the parties appeared before me and made their statements on 2nd May, 1979. The Workman stated that the management has taken him back on duty w. e. f. 5th January, 1979 with continuity of service without any break but without any back wages and he requested that the reference may be answered accordingly. On behalf of the management Shri Ramesh Kumar, Accountant and Shri K. S. Bhatnagar representative of the management confirmed the statement of the workman. I, therefore, answer this reference and give my award that the termination of service of the workman was not justified and in order but as the management re-instated him, he is not entitled to any further relief according to his own statement.

Dated the 3rd July, 1979.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement No. 1628, dated the 3rd July, 1979.

Forwarded (four Copies) to the Secretary to Government Haryana, Labour & Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-3Lab-79/7665.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s Sujata Textiles Modern Industrial Estate, Bahadurgarh.

BEFORE SHRI BABU RAM GOYAL PRESIDING OFFICER LABOUR COURT  
HARYANA ROHTAK

Reference No. 245 of 1978

*Between*

SHRI RAM NARAIN & SHRI BHOLA SETH, SHRI ABDUL HAKIK AND SHRI GOPAL MANDAL WORKMAN AND THE MANAGEMENT OF M/S SUJATA TEXTILES MODERN INDUSTRIAL ESTATE, BAHADURGARH

*Present :—*

Shri Rajinder Singh, for the workmen.

Shri C.K. Aggarwal, for the management.

#### AWARD

By order No. ID/RTK/4-78/38964 dated 28th August, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Sujata Textile Modern Industrial Estate, Bahadurgarh and its workmen to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of the following workmen was justified and in order. If not to what relief are they entitled ?

1. Shri Ram Narain.
2. Shri Bhola Seth.
3. Shri Abdul Hakik.
4. Shri Gopal Mandal.

On receipt of order of reference, the notices were issued to the parties appeared and wanted time for settlement. After some adjournments they appeared before me on 20th June, 1979 and the representative of the parties made the following statements.

#### Statement of Shri Rajinder Singh

All the workmen have been taken on duty by the management and the management has agreed to pay Rs 125/- each as compensation. The workmen do not press their claim as they will be treated as on leave without pay during the period of termination till the date of reinstatement. The workmen do not want to pursue this claim case. The same may be answered accordingly.

#### Statement of Shri O.K. Aggarwal for the management.

I have heard the statement of the workmen's representative. The compensation of Rs. 125/- each would be paid within a week. The workmen have already been taken on duty.

In view of the above statements I answer the reference and give my award that the termination of services of the workmen were not justified and in order and as the management has already reinstated

all the workmen they are not entitled to any backwages but each workmen will receive compensation of Rs. 125/- each as agreed upon between the parties.

Dated 3rd July, 1979.

BABU RAM GOYAL  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 1627 dated 3rd July, 1979.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department Chandigarh as required under section 15 of the I.D. Act.

BABU RAM GOYAL  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11 (112)-3 Lab-79/7674.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Anand Synthetics Ltd. Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 34 of 1978

*Between*

SHRI GOPI KANT JHA WORKMAN AND THE MANAGEMENT OF M/S. ANAND SYNTHETICS LTD. MATHURA ROAD, FARIDABAD.

*Present:—*

Shri K.L. Sharma for the workman.

Shri O.P. Tyagi for the management.

#### AWARD.

By order No. ID/FD/998-D-77/6428, dated 10th February, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Anand Synthetics Ltd. Mathura Road, Faridabad and its workman Shri Gopi Kant Jha, to this Tribunal for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Gopi Kant Jha was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties following issues were framed on 12th July, 1978:—

1. Whether the workman absented himself from duty for a period beyond as described in the Standing Order ? If so, whether his services were automatically terminated ?
2. If issue No. 1 is not proved, whether the termination of services of Shri Gopi Kant Jha was justified and in order If not, to what relief is he entitled ?

And the case was fixed for the evidence of the management. The management examined their watchman Shri Mahabir Singh as MW-1, their Personnel Officer Shri K.B. Kumar as MW-2, Shri Ranbir Singh their Time Keeper as MW-3 and closed their case. Then the case was fixed for the evidence of the workman who examined himself as WW-1. The case was fixed for remaining evidence

of the workman. It was at this stage that a settlement was arrived at, according to which the workman agreed to join his services with continuity thereof. The workman stated that the management should pay to him a sum of Rs. 500/- against his back wages and should treat all these intervening period as Leave without pay. The representative for the management agreed to the proposal with a modification that the management may pay Rs. 500/- to the workman as *ex-gratia* and not against back wages. But the workman shall join duty within five days.

As per the settlement arrived at between the parties, I give my award that the management shall reinstate the workman with continuity of service. The management shall also pay to him a sum of Rs. 500/- only as *ex-gratia* and not against back wages. The period after termination of services of the workman and up to the workman re-joined his duty shall be treated by the management as leave without pay.

Dated the 4th July, 1979.

NATHURAM SHARMA

Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.

No. Dated

Forwarded (for copies) to the Secretary to Government Haryana, Labour and Employment, Department, Chardigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHURAM SHARMA

Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.

No. 11(112)-Lab.-79/7674-A—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (, ct No. XI of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer Industrial Tribunal Faridabad in respect of the dispute between the workman and the management of M/s S.D.O. Public Health P. W. D. Division No. 3, Sector 7, Faridabad.

BEFORE SHRI NATHURAM SHARMA PRESIDING OFFICER INDUSTRIAL TRIBUNAL HARYANA FARIDABAD

Reference No. 205 of 1978

*Between*

SHRI DHARAM CHAND WORKMAN AND THE MANAGEMENT OF M/S S.D.O.  
PUBLIC HEALTH (P. W. D.) DIVISION NO 3 SECTOR 7,  
FARIDABAD

Present —

None for the workman.

Shri K. C. Jain for the management.

#### AWARD

By order No. ID/FD/349/7/31646 dated 11th July, 1978 the Governor of Haryana referred the following dispute between the management of M/s S. D. O. Public Health (P. W. D.) Division No. 3 Sector 7 Faridabad and its workman Shri Dharam Chand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

Whether the termination of services of Shri Dharam Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were sent to the parties. Some time the workman appeared, whereas the other time the management appeared. On 16th May, 1979 both the parties were present and the case was fixed for 12th June, 1979. On 12th June, 1979 neither the workman was present nor his representative, although the S. D. O. Shri K. C. Jain was present together with Shri M. D. Sharma their legal adviser. The case was dismissed in default. The workman did not take

any interest in pursuing his dispute. In these circumstances, I give my award that there is no dispute between the parties.

Dated the 2nd July, 1979.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.

No. 586, dated the 6th July, 1979.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.

No. 11 (112)-3Lab-79/7675.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s Globe Wasti manufacturing Co., Faridabad.

BEFORE SHRI NATHU RAM SHARMA PRESIDING OFFICER, INDUSTRIAL TRIBUNAL HARYANA, FARIDABAD.

Reference No. 51 of 1979

*between*

SHRI GANGA RAM WORKMAN AND THE MANAGEMENT OF M/s. GLOBE WASTI MANUFACTURING CO. FARIDABAD.

*Present.—*

Shri P. K. De, for the Workman.

Shri S. L. Gupta, for the management.

#### AWARD

By order No. 6/78/5137, dated 3rd February, 1979 the Governor of Haryana referred the following dispute between the management of M/s. Globe Wasti Manufacturing Co. Faridabad and its Workman Shri Ganga Ram, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ganga Ram was justified in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and stated that they have settled their dispute, according to which the workman has received all his dues and claims and has left for good. There are three vouchers in support of payment to the workman of amounts Rs. 62-15, 48-13 and Rs. 20-75.

In view of the settlement, I give my award that the termination of services of the workman was justified and in order. He is not entitled to any relief.

Dated the 4th July, 1979.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.

No. 599, dated 6th July, 1979.

Forwarded (four copies) to the Secretary to Government Haryana Labour and Employment Departments Haryana, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal,  
Haryana, Faridabad.